

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

ACTION CAPITAL PROPERTIES, LLLP,
et al.,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA,

Defendant.

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Case No. 19-1784L

Hon. Lydia Kay Griggsby

JOINT STIPLUTION FOR DISMISSAL

1. Plaintiff Ferrero-Hodges Investment Group, LLC brought a claim under the Tucker Act, 28 U.S.C. § 1491(a), and the Fifth Amendment to the Constitution, seeking just compensation for a taking of their ownership interest in a railroad corridor located in Cobb County, Georgia.

2. Pursuant to the Court's Order dated April 16, 2020 (ECF No. 10), Plaintiffs filed a Joint Status Report on May 1, 2020 (ECF No. 11), reporting that Plaintiff Ferrero-Hodges Investment Group, LLC will proceed in *Howarth, et al. v. United States*, No. 19-1745L.

3. Pursuant to Rule 41(a)(1)(A)(ii), the parties jointly stipulate to the voluntary dismissal without prejudice to the claim of Ferrero-Hodges Investment Group, LLC, parcel number 17083400210 from this matter. Each party will bear their own attorney's fees and costs related to plaintiff Ferrero-Hodges Investment Group, LLC's involvement in this matter.

4. Plaintiffs have consulted with counsel in *Howarth* and counsel represents that she consents to the filing of this stipulation of dismissal.

Respectfully submitted this 18th day of August, 2020.

Respectfully submitted by,

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